

REMARKS

Summary of Office Action

Applicant's claims 1-3 and 5-12 are currently pending in the above-identified patent application.

The Examiner rejected claims 1-3 and 6-12 under 35 U.S.C. § 102(a) as being anticipated by Japanese Patent Application No. JP-2001-313701 (hereinafter "Kiumi Hideo").

Applicant's Reply to the Rejection of the Claims

The Examiner rejected independent claims 1 and 9 under 35 U.S.C. § 102(e) as being anticipated by Kiumi Hideo. Applicant submits the following remarks wherein the Examiner's rejections are respectfully traversed.

Applicant's claimed invention is a portable terminal. More particularly, Applicant's claimed invention is a portable terminal that provides a first housing having a display unit and a second housing having a primary input unit, wherein the first housing and the second housing are connected together at a common joint. The first and second housings are permitted to rotate about the common joint of their connection, permitting a user to switch the portable terminal's mode of operation from an open state to a closed state and vice versa.

Regardless of the mode of operation, the display unit of the first housing is continuously viewable by the user. This is reflected in independent claims 1 and 9 in the requirement that "said display unit is visible to a user in a closed state and an open state." However, portable terminal functions (e.g., e-mail, camera, web, etc.) provided on the selection screen displayed on the display unit of the first housing are altered when the portable terminal's mode of operation is switched.

In rejecting Applicant's independent claims 1 and 9, the Examiner asserts **that all** of the elements of these claims are shown in Kiumi Hideo. However, Applicant respectfully

submits that Kiumi Hideo is similar to the Kawasaki reference cited in the Office Action dated December 29, 2005. Both Kawasaki and Kiumi Hideo disclose a construction in which two displays are provided, one of the two different screens is displayed on one of the two displays, and the other of the two different screens is displayed on the other of the two displays. Kiumi Hideo fails to show or suggest the use of a single display unit which displays different selection screens that are made dependent upon the mode of operation of a mobile terminal, which are suitable for continuous operation by different accessible means of input.

The Examiner specifically refers to figures 1 and 5, and paragraphs 43-45 to show that Kuimi Hideo teaches the aforementioned limitations of Applicant's claimed invention. Yet, contrary to the Examiner's assertions, the limitations of Applicant's claimed invention are not shown. Kuimi Hideo only describes a mobile terminal in which two separate and distinct displays are provided: (1) an inside display 22 which is a screen of main display and which is displayed in an open state and (2) an outside display 32 which is a screen of an auxiliary display and which is displayed in a closed state. Kuimi Hideo fails to disclose or even suggest Applicant's use of a single display unit that is "visible to a user in said closed state and an opened state, adapted to display a first selection screen which is appropriate for an operation by said auxiliary input when both of said housings are in said closed state, and adapted to display a second selection screen which is appropriate for an operation by said main input unit when both of said housings are in said opened state." Thus it fails to disclose a single display unit that is continuously viewable by the user whether the mobile terminal is an open or a closed state. Further it fails to disclose first and second selection screens that are under the independent control of an auxiliary input unit and main input unit, respectively.

Moreover, none of the drawings in Kuimi Hideo teach the aforementioned selection screen limitations of Applicant's claimed invention. Every drawing figure provided in Kuimi Himeo is clearly described in conjunction with two displays. Not a single drawing figure in Kuimi Himeo depicts a mobile terminal with one display visible in both its closed state and its open state as provided in Applicant's claimed invention. Since Kuimi Himeo fails to describe this limitation of applicant's invention, it can not anticipate Applicant's claimed invention, and Claims 1 and 9 are patentable of Kuimi Himeo.

Dependant Claims 2-3, 5-8, and 10-12

The remaining claims at issue in this application are patentable over the cited reference based upon their dependence on claims 1 and 9, as well as on their own merit.

Conclusion

Accordingly, Applicant respectfully submits that the claimed invention as defined by independent claim 1, claims 2 through 3 and 5 through 8 which depend therefrom, and independent claim 9, and claims 10 through 12 which depend therefrom, are patentable over the cited reference.

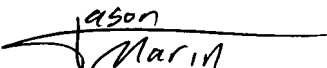
For at least the reasons set forth above, Applicant respectfully submits that this patent application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

The Examiner is urged to telephone Applicants' undersigned counsel if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-58.

Respectfully submitted,

Schulte Roth & Zabel LLP
919 Third Avenue
New York, NY 10022
212-756-2000

Dated: November 6, 2007
New York, New York

By: 
Jason S. Marin.
Attorney for Applicant
Reg. No. 55,799

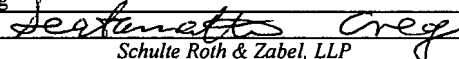
CERTIFICATE OF MAILING

Date of Deposit: November 6, 2007

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